



Competitive Carriers Association
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November 7, 2012

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket No. 10-4

Dear Ms. Dortch:

On November 5, 2012, I had a telephone conversation with John Leibovitz, Deputy Bureau Chief of the Wireless Telecommunications Bureau; Roger Noel, Division Chief of the Mobility Division of the Wireless Telecommunications Bureau; and Joyce Jones, Attorney Advisor to the Wireless Telecommunications Bureau, to discuss Competitive Carriers Association's (CCA)¹ consensus position among CCA's carrier members on the Commission's Notice of Proposed Rulemaking related to the use of signal boosters.²

Subject to certain additions and clarifications detailed below, CCA supports many elements of the Joint Proposal submitted by Nextivity, Inc., T-Mobile USA, Inc., V-COMM L.L.C., Verizon Wireless and Wilson Electronics,³ including many of the operational requirements, interference safeguards and technical standards. CCA affirmatively supports Safe Harbor 2 in the Joint Proposal, which authorizes the use of fixed, frequency-specific signal boosters and contains an explicit carrier consent requirement.

However, CCA recommends that the Commission adopt a carrier consent requirement in connection with approving signal boosters for use on commercial mobile radio service (CMRS) networks,⁴ and opposes any "blanket licensing" by rule of signal boosters or other devices not expressly approved by carriers as inconsistent with Section 301 of the Communications Act of 1934, as amended (the Act). CCA recommends that manufacturers be responsible for obtaining authorization for the operation of narrowband (frequency specific) signal boosters from each licensee of spectrum in a particular geographic area on which the booster is intended to operate, as of the date the booster is first used in the market. For wideband boosters, CCA recommends that manufacturers be responsible for

¹ CCA, formerly known as RCA – The Competitive Carriers Association, represents over one hundred wireless carriers.

² Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters, Notice of Proposed Rulemaking, WT Docket No. 10-4 (rel. Apr. 6, 2011).

³ Letter from Nextivity, Inc., T-Mobile USA, Inc., V-COMM L.L.C., Verizon Wireless and Wilson Electronics to Marlene H. Dortch, Secretary, Federal Communications Commission, WT Docket No. 10-4 (filed Jun. 8, 2012) ("Joint Proposal").

⁴ See Joint Proposal, Safe Harbor 1.

obtaining authorization for the operation of signal boosters from the licensee(s) whose spectrum the booster amplifies.

CCA's recommendations are made with the understanding that carriers, including CCA's members, would independently engage in good faith efforts to test signal boosters, on a commercially reasonable timeframe, to determine whether the subject booster is appropriate for use on carriers' exclusively-licensed spectrum. CCA's main policy goal is fostering competition in the mobile market. Therefore CCA is not aware of its carrier members intending to use a carrier consent requirement to effect a blanket ban policy on signal boosters. CCA would not oppose the Commission giving notice that it will be monitoring carrier behavior with respect to signal boosters, and revisiting the consent requirement if it becomes apparent that carriers are refusing to give timely and reasonable consideration to signal booster consent requests. Furthermore, under CCA's proposal, carriers remain free to waive this consent requirement and, for example, issue blanket consent for all signal boosters meeting the Joint Proposal Safe Harbors.

CCA also supports a manufacturer-managed and -funded signal booster registration requirement. Potential problems are associated with a non-integrated registration program that relies solely on voluntary consumer registration.⁵ Thus, CCA recommends a process by which customers register with the booster's manufacturer, which will store the registration information in a central, electronically-available database. Such a database would have the functionality to allow CMRS carriers to query the database to access information relating to signal boosters identified as potentially interfering with their networks and to track cease and desist notices sent to manufacturers.⁶ Although potentially not technically feasible at the present time, the Commission should consider a forward-looking requirement that signal boosters be designed in a manner that prevents their operation unless registered with the centralized manufacturer database and enable carriers to de-activate boosters remotely if interference occurs.

Finally, while offering benefits of improved coverage, signal boosters can impact E911 location accuracy, especially when using network-based location technologies. The FCC should provide carriers with liability protection in instances where a signal booster operating pursuant to FCC rules unintentionally provides inaccurate E911 location information. In the absence of this, the FCC should affirmatively state that the consumer welfare benefits provided by signal boosters, including the ability to make calls (including 911 calls) with the assistance of a booster, outweigh the small potential for unintentionally inaccurate E911 location information.

⁵ These include the failure of consumers to register, issues with respect to signal boosters that change hands on the secondary market, and the fact that many interference issues related to signal booster use actually occur on adjacent spectrum bands belonging to other carriers, rather than over the spectrum held by the carrier with which the customer has registered the booster.

⁶ CCA supports the right of carriers to locate and disable boosters causing actual interference to networks, regardless of whether such boosters meet the Joint Proposal's Safe Harbors.

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules.

Sincerely,

/s/

Rebecca Murphy Thompson
General Counsel

cc (via email): Mr. John Leibovitz
Mr. Roger Noel
Ms. Joyce Jones